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## *The Barbie Case*

THE APOLOGY was necessary, and long overdue. But when the U.S. government delivered it to the French a few days ago it was done properly, without hedging and without evasion. Equally important, the government has now given the country an authoritative account of the whole strange and repellent story: how the U.S. Army shielded a Gestapo officer, Klaus Barbie, wanted for war crimes in France, and broke American law to get him to Bolivia. The candor and balance of that report is a credit to the Justice Department and particularly to its principal author, Allan A. Ryan Jr.

Attorney General William French Smith ordered the report last winter after Bolivia returned Mr. Barbie to stand trial in France for crimes committed when he was chief of the Gestapo in Lyons. Soon after the war, Mr. Barbie came into contact with the U.S. Army's Counter Intelligence Corps, which was trying to build up a network of informants in Germany. The Ryan report shows that Mr. Barbie remained an employee of the CIC from early 1947 until he was on the boat to South America nearly four years later. The CIC knew that he was a former Gestapo commander. But Mr. Ryan concludes that, for the first couple of years, the CIC had "no reliable indication" that he was guilty of war crimes. That is a defensible judgment, although a generous one in view of the Gestapo's reputation.

In any event, things changed in 1949. Agitation in Lyons to locate Mr. Barbie led to newspaper stories that the CIC could hardly have missed. In 1950 the trial of an accused French turncoat made it dramatically clear with whom they were dealing. The CIC went into a panic. It feared the embar-

rassment of being seen to harbor a war criminal, and even worse, by this time Mr. Barbie knew a great deal about CIC operations. Under questioning from the U.S. High Command in Germany, the CIC officers lied and denied knowing where Mr. Barbie was. On this painful point, Mr. Ryan is explicit. As rapidly as they dared, they then provided Mr. Barbie and his family with fake documents and got them out of Europe.

The intelligence officers who hid Mr. Barbie are condemned by this record of moral negligence on a grand scale. It needs to be said, unfortunately, that this case was not isolated. At a time when the United States was doing much in Europe that was magnificently right, an easy and naive acceptance of too many people who claimed to be anti-communist—and never mind what they were doing before 1945—was the weakest part of the record.

Mr. Barbie has now outlived by 39 years a great many French men and women who fell into the hands of the Gestapo at Lyons. He has lived all but the last half-year of that time in freedom. The United States is responsible for his evasion of the charges against him. But the belated investigation of this case serves a highly useful purpose.

Mr. Ryan, at the conclusion of his report, notes that it never seemed to occur to those CIC officers that, in concealing Mr. Barbie from their own government, they were breaking the law. "The only evident concerns were operational ones," Mr. Ryan observes. "If the reforms of the past decade lead an intelligence officer faced with a similar choice in the future to realize that these cannot be the exclusive concerns, and that he is accountable under the law for the choices he must make, then we will have accomplished something worthwhile."